N25A - SH - AD - 32A (11/02)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: June 8, 2006

FILE NO.: SH2114157

FROM: JOHNNY G. JURADO, COMMANDER
ERIC B. SMITH, COMMANDER
KENNETH J. BRAZILE, COMMANDER
CECIL W. RHAMBO, COMMANDER

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**

DEPUTY PATRICK NEAL #[redacted]
COMPTON STATION

On March 19, 2004,Compton Station early morning Deputies Neal and Whittington received the assist on a "vandalism just occurred" call, near the intersection of Northwood Avenue and 156th Street. When the deputies arrived, they were flagged down by a female informant who gave a description of the suspects and the suspect's vehicle. The informant added that the suspects lived in the area and would probably return.

Based on the nature of the information, Deputies Neal and Whittington decided to remain in the area. They parked their radio car on Northwood Avenue, approximately four houses north of 156th Street. The deputies were there for approximately five minutes when they saw the suspects pull up and stop their vehicle in the middle of the road in front of [redacted] West 156th Street. Both suspects exited the vehicle. One suspect (later identified as Subject [redacted]) exited the front passenger's seat carrying what appeared to be a golf club. Subject [redacted] jumped over a small fence in front of the location and approached the residence.

The deputies began to drive the short distance toward the residence and as they approached, they heard what sounded like glass shattering and then a gunshot. When the deputies exited their radio car they saw Subject [redacted] jump back over the small fence while holding a small black handgun in his right hand. Subject [redacted] saw the deputies and pointed the gun in their direction. Deputy Neal perceived a deadly threat and fired three,9mm rounds at Subject [redacted] striking him once in the left elbow. Subject [redacted] apparently tossed his pistol and surrendered. Subject [redacted] was arrested without further incident and transported to Harbor/UCLA Medical Center.

The second suspect, who stayed by the vehicle, was identified and arrested for vandalism without incident. A .25 caliber Beretta pistol was recovered from some bushes at the scene.

On June 8, 2006, the Executive Force Review Committee convened and conducted a

review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MMP § 3-01/025.00: Use of Force; MMP § 3-01/025.30: Use of Firearms and Deadly Force; MMP § 3-01/025.10: Unreasonable Force; and MMP § 3-01/050.10: Performance to Standards. Concerning:

MMP § 3-01/025.00: Use of Force, MMP § 3-01/025.30: Use of Firearms and Deadly Force, and MMP § 3-01/025.10: Unreasonable Force, the Committee determined that the force used by the deputy was reasonable and necessary and in compliance with Department policy. MMP § 3-01/050.10: Performance to Standards, the Committee determined that the tactics employed by the deputies in this incident were within Department Policy.

Johnny G. Jurado, Commander

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(Addendum)

OFFICER INVOLVED SHOOTING FORM

INVESTIGATIVE SUMMARY

EXHIBITS

MISCELLANEOUS DOCUMENTS

Los A[illegible]geles County Sheriff's Dep[illegible]tment

Officer Involved Shooting

Report Date: 03/22/2004	Bureau/Station/Facility: Compton Station	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 004-04908-2832-055	Date: 03/19/2004	Time: 2310
City or Station: Compton	Nature of Incident: Deputy Neal was conducting a surveillance related to a vandalism call where the victim believed the suspect(s) would return. The suspect did return and began breaking house and vehicle windows with a brick and golf club. Deputy Neal drove up to arrest the suspect. The suspect pointed a pistol at Deputy Neal. Deputy Neal fired three rounds at the suspect, wounding him in the right elbow.	
Location: [redacted] West 156th Street		

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **(Street)** — Other: ______

Lighting (*circle only one*): Darkness, Daylight, Other, **(Street Lights)**

Weather (*circle only one*): Clear, Cloudy, **(Fog)**, Rain

Distance: 15 feet

Incident Type (*circle one or more*): Accidental, **(Armed Person)**, **(Fleeing Suspect)**, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, **(Call)**, Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, **(Other)**, Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit? ☐	Canine Unit? ☐
3	0		

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Whittington	Steven		**(EM)** PM Day	**(Regular)** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Rodriguez	Michael	P	**(On Duty)**, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	McCants	Dana	J

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Godfrey	Edward	R

PSTD Use Only
SH # ______

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
03/20/04	0115		

Employee #	Last Name	First Name	M.I
[redacted]	Cleary	John	T
[redacted]	Jennings	Rickey	D

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E1	S1	FH	BR	9	Y	Y	GS	EL

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 004-04908-2832-055

Involved Employee

E 1

Field	Value
Employee #	[redacted]
Last Name	Neal
First Name	Patrick
M.I.	
Sex	M
Race	B
Rank	Deputy
Unit Assignment	Compton Station
Work Assignment (Unit #, Module, etc.)	Unit 285
ShiftTime (*circle only one*): EM / PM / Day	EM (circled)
ShiftType (*circle only one*): Regular / Overtime / Off Duty	Regular (circled)
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting	8
Duty Time (hrs)	[redacted]
Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Uniform w/ Vest (circled)
Other Factors	
Age	[redacted]
Height	
Weight	
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings	[redacted]
Field Training Officer Emp # / Last Name / First Name / M.I.	
Field Training Officer Emp # / Last Name / First Name / M.I.	

E __

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	
Race	
Rank	
Unit Assignment	
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*): EM / PM / Day	
ShiftType (*circle only one*): Regular / Overtime / Off Duty	
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting	
Duty Time (hrs)	
Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	
Other Factors	
Age	
Height	
Weight	
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	☐
Patrol Certification?	☐
Certification Unit	
Prior Shootings?	☐
Number of Prior Shootings	
Field Training Officer Emp # / Last Name / First Name / M.I.	
Field Training Officer Emp # / Last Name / First Name / M.I.	

E __

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	
Race	
Rank	
Unit Assignment	
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*): EM / PM / Day	
ShiftType (*circle only one*): Regular / Overtime / Off Duty	
Intoxication/Drug Usage?	☐
Substance Used	
Hospital Admission?	☐
Hospital Name	
Coroner Case?	☐
Coroner Case #	
Interviewed?	☐
Hrs of sleep prior to shooting	
Duty Time (hrs)	
Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	
Other Factors	
Age	
Height	
Weight	
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	☐
Patrol Certification?	☐
Certification Unit	
Prior Shootings?	☐
Number of Prior Shootings	
Field Training Officer Emp # / Last Name / First Name / M.I.	
Field Training Officer Emp # / Last Name / First Name / M.I.	

Officer Involved Shooting
Suspect Information

URN: 004-04908-2832-055

Suspect Information

S 1

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: M	Race: B	Street Address:	City:	State & Zip Code:

Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: 17 D.O.B.:	Height: 6'1 Weight: 155	FBI #:	CII #:
Booking #:	Primary Charge: 245(D)1 PC	Secondary Charge: 417.8 PC	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ■
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex:	Race:	Street Address:	City:	State & Zip Code:

Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.:	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex:	Race:	Street Address:	City:	State & Zip Code:

Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.:	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex:	Race:	Street Address:	City:	State & Zip Code:

Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.:	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

INVESTIGATIVE SUMMARY
DEPUTY-INVOLVED HIT SHOOTING
IAB SH2114157
URN 004-04908-2832-055

On Saturday, March 20, 2004, Sergeant John Cleary, along with Lieutenant Rickey Jennings of the Internal Affairs Bureau responded to Compton Station regarding a deputy-involved hit shooting. August 5, 2005, Sergeant Steve Flamm of the Internal Affairs Bureau was assigned as the lead investigator to accommodate transfers of IAB personnel.

SYNOPSIS:

On March 19, 2004 at approximately 2310 hours, Compton Station units received a radio call of a "594JO" (vandalism just occurred) near the intersection of Northwood Avenue and 156th Street. Deputies Patrick Neal and Steven Whittington (unit 285) arrived at the location and were flagged down by a female Black informant (NFD). She gave a description of the suspects and also a vehicle description. She told the deputies that the suspects lived in the neighborhood and that they would probably return to the location. Deputies Neal and Whittington remained in the area to see if the suspects would return. They parked their radio car in front of [redacted] enabling them to maintain a visual of [redacted] W. 156th Street.

While Deputies Neal and Whittington were conducting their surveillance of the location, they observed a dark Mitsubishi Mirage pull in front of the location and come to a stop. The vehicle remained in the middle of the road. Both of the occupants exited the vehicle. One of the occupants, later identified as Subject [redacted] walked around the rear of the vehicle and into the yard of the location. [redacted] gained entry into the yard by jumping over a small picket fence in front of the location. [redacted] then broke out the driver's window of a vehicle that was parked in the driveway. [redacted] then shattered the location's livingroom window, by utilizing a golf club which he held in his right hand. From their location, the deputies could hear the sound of breaking glass. The deputies drove to the location from their surveillance point, and heard what they believed to be a gunshot.

As Deputies Neal and Whittington exited their radio car, they observed Subject [redacted] run across the front yard with a pistol in his right hand. As Subject [redacted] attempted to flee, he pointed the firearm in the direction of the deputies. Deputy Neal, fearing for his safety as well as the safety of his partner, fired three rounds from his service weapon at the subject. Subject [redacted] was struck once in the left elbow. Subject [redacted] discarded a pistol which was subsequently recovered in a nearby hibiscus bush. Neal did not see [redacted] discard the handgun.

Subject [redacted] was taken into custody without further incident. He was transported to U.C.L.A Harbor General Medical Center where he was treated for his injury.

The second individual was identified as [redacted] MB/19, [redacted] He was transported to Compton Sheriff's Station. Subject [redacted] .25 caliber Beretta pistol was recovered at the scene. It was found to have one live round in the chamber. The pistols's magazine containing six live rounds was found in close proximity to the weapon.

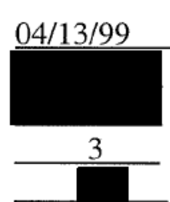
No deputy personnel were injured in the incident.

Deputy Wolak from the Force Training Unit and Deputy Scott Edge of the Civil Litigation Unit also responded to the incident.

On July 19, 2005, Deputy District Attorney Christian Gullon reviewed the facts surrounding the shooting and opined that Deputy Neal acted in lawful self-defense and the defense of others. **Refer to Miscellaneous Documents for District Attorney's letter of opinion.**

INVOLVED PERSONNEL:
NEAL, Patrick, Deputy #
Compton Station
Field Operations Region II

EMPLOYEE WORK HISTORY:
NEAL, Patrick

Date of Employment	04/13/99
Date assigned to Patrol	
Completed Patrol Training	
Prior Shooting Incident(s)	3
Prior Founded Force Incidents	

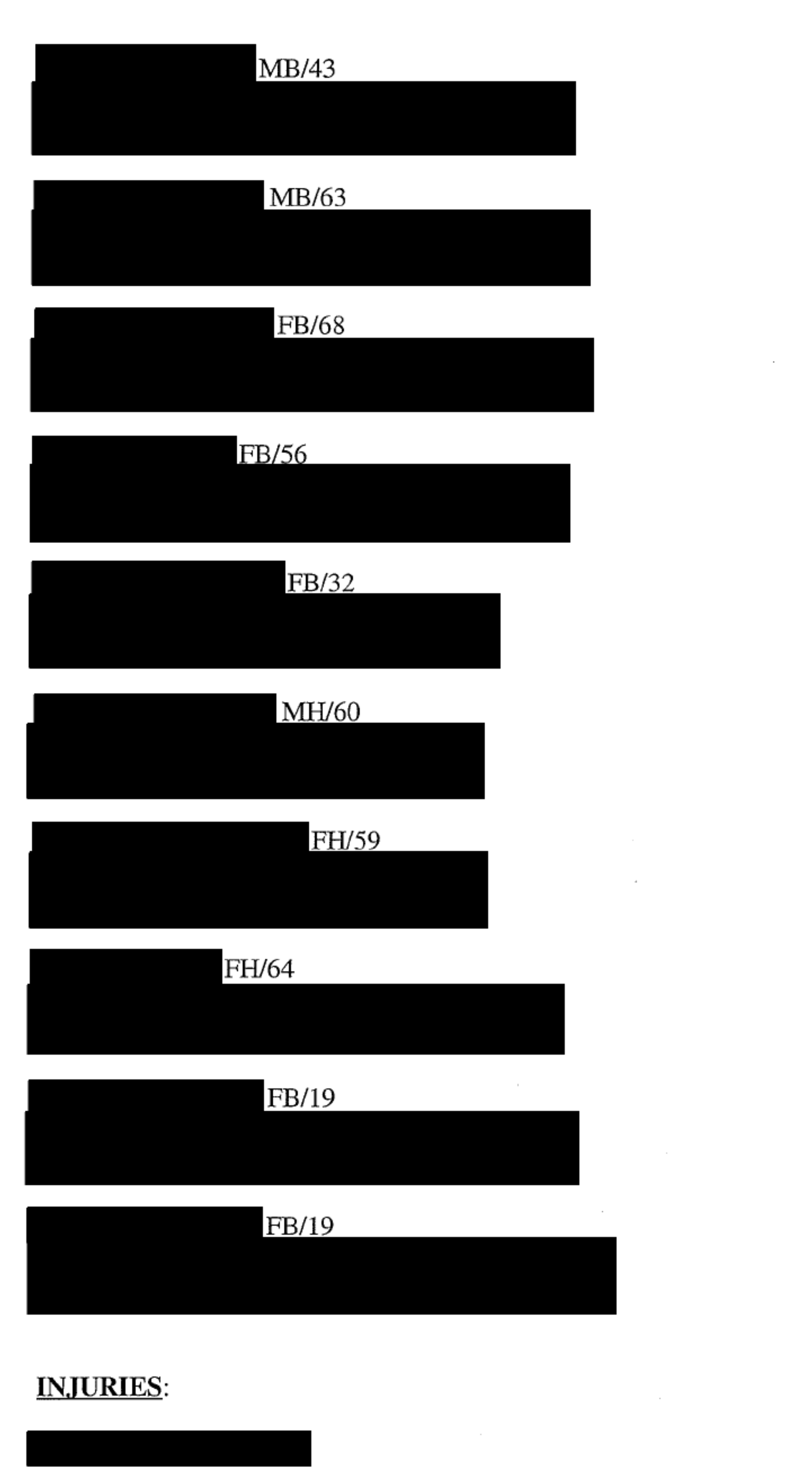
SUBJECT:
MB/17, Booking #
Subject has an extensive criminal background. A check of the CCHRS (Consolidated Criminal History Reporting System) revealed that

also had an outstanding during the time of the shooting. Refer to the CCHRS printout included under **Miscellaneous Documents**.

SWORN WITNESSES:

WHITTINGTON, Steven, Deputy #
Field Operations Region II
Compton Station

CIVILIAN WITNESSES:
MB/21



MB/43

MB/63

FB/68

FB/56

FB/32

MH/60

FH/59

FH/64

FB/19

FB/19

INJURIES:

Subject sustained a non-fatal gunshot wound to his left elbow.

The subject was treated at the scene by paramedics from Compton Fire Department. The subject was transported to U.C.L.A. Harbor General Medical Center via AMR ambulance. [redacted] was treated in the Emergency Room by Dr. Kim, under patient number [redacted] No deputies were injured during this incident.

PHYSICAL EVIDENCE:

The subject's weapon was recovered at the scene. The weapon was located inside of a hibiscus bush perpendicular to the south curb line in between [redacted] and [redacted] of 156th Street. Refer to the photo of the subject's weapon **Exhibit E**.

Two expended rounds from Deputy Neal's weapon were recovered at the shooting scene. One round was recovered in the parkway of [redacted] 156th Street. The other round was recovered from the front lawn of [redacted] Three expended shell casings from Deputy Neal's weapon were recovered at the shooting scene. Two of the casings were on the ground in front of the right front patrol car's wheel, while the third was located on the ground alongside of the south curb line directly in front of [redacted] 156th Street.

Refer to photographs of the crime scene and evidence **Exhibit C**. Also refer to the crime scene diagram and legend for exact positions and measurements of the bullet strikes, shell casings, and subject's weapon **Exhibit A**, **page 77**.

Refer to the property damage section for additional comments regarding bullet strikes to private property **Exhibit F**.

The crime scene was processed by Forensic Identification Specialist Dale Higashi and Gilbert Trujillo, both of Scientific Services Bureau.

Refer to the Homicide Book, **Exhibit A, pages 73-81** for Physical Evidence gathered at the crime scene and processed by the Crime Lab.

The Crime Lab report is located in **pages 73-76** of the same exhibit. Refer to photographs of the subject **Exhibit D**, and the crime scene sketches **Exhibit A, page 77**.

INVESTIGATOR OBSERVATIONS:

Refer to the Homicide field investigation for information regarding the investigator's observations, (**Exhibit A, pages 25-33**) for additional scene observations. Also, refer to **Exhibit C** for photographs of the scene.

WEAPON USED BY DEPUTY PERSONNEL:

Deputy Neal, Patrick

Departmental-issued service firearm; Beretta 92FS 9mm, serial #BER[redacted] **3 rounds of duty-issue 9mm ammunition fired.**
Neal carried his weapon with one round in the chamber and 15 rounds in the magazine. Examination of Deputy Neal's firearm by Homicide detectives revealed 1 round in the chamber and 12 rounds in the magazine.

For additional information, refer to the Crime Lab examination of Neals' weapon (**Exhibit A, page 75, lab receipt J556507 & J556508**).

WEAPONS USED BY SUBJECT:

The weapon used by Subject [redacted] was identified as a Beretta, 25 caliber, serial #[redacted], blue steel with black plastic grips; six live rounds in magazine, one in the chamber, with the hammer being in the cocked position. Refer to the Crime Lab report and receipt #J556509. Refer to **Evidence item # 5, Exhibit A, page 76; also refer to photos of revolver, Exhibit E**.

Initially, Deputies Neal observed Subject [redacted] run across the front yard of [redacted] W. 156th Street with a pistol in his right hand. The suspect discarded the weapon, which was later recovered inside of a hibiscus bush which was located perpendicular to the south curb line in-between [redacted] and [redacted] of 156th Street.

[redacted] firearm was collected and submitted for examination. For additional information, refer to the Crime Lab examination of [redacted] weapon (**Exhibit A, pages 73-75**) A check of the pistol's serial number, [redacted] indicated that it was registered to [redacted] [redacted] told Homicide Investigator's that the pistol was stolen from inside his garage, [redacted] [redacted] sometime back in 1994. [redacted] neglected to report the gun as stolen to the police.

PROPERTY DAMAGE:

The following property damage was identified and labeled, and is consistent with the Crime Lab report **Exhibit A**. For the position of the patrol car and damage, refer to the attached Crime Scene Diagram at the end of the Investigative Summary and also on page 77 of Exhibit A.

Also, refer to the **photo exhibits of the below property damage, Exhibits F**.

PROPERTY DAMAGE:

- Bullet strike to the north wall of [REDACTED]

- Bullet strike to the garage of [REDACTED]

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator's Name	Detective Tim Cain (Homicide)
Court	Compton Juvenile Court
Charges Filed	245(D)1 PC/ 245(A)1 PC/ 417.8 PC/ 594(A) PC
Court Date	12-08-04
Case Number	TJ12082040406

Subject [REDACTED] was convicted of 245(d)(1) P.C. (Assault with a Deadly Weapon on a Peace Officer) and sentenced to 7 years to the California Youth Authority.

LIGHTING OR WEATHER CONDITIONS:

The weather was cool, and dark at the time of the shooting (approximately 2310 hours).

INVOLVED EMPLOYEES STATEMENTS:

Deputy Neal, Patrick

Deputy Neal was working a uniformed patrol car (285/EM's) with his partner, Deputy Whittington. The deputies responded to a vandalism in progress call at [REDACTED] They were instructed by the handling unit to respond to Northwood Avenue and 156th Street, due to the possibility that the vandalism suspect might be en route to that location.

Neal said that at the intersection of 156th Street and Northwood Avenue, they were flagged down by a female. She told them that she lived at [REDACTED] At the time of the contact with deputies, she was at her [REDACTED] house. She said that approximately three to five minutes prior to the deputies arrival, the vandalism suspect drove east on 156th Street. She further told them that the suspect had stabbed her [REDACTED] earlier that day and had left in a dark-colored compact car. Neal told the female informant that they would park up the block of Northwood Avenue, so they would have a clear view of [REDACTED] W. 156th Street.

Neal said that he and his partner parked in front of [REDACTED] Approximately five minutes later, a dark-colored vehicle, traveling westbound on 156th Street, stopped in front of [REDACTED] West 156th Street. Neal described the suspect vehicle as a small dark colored car with traffic collision damage to the driver's door.

Neal saw the driver exit the vehicle and stand near the driver's door. The passenger also exited and jumped over the fence of [REDACTED] W. 156th Street.

He said the person that jumped the fence, later determined to be Subject had a long object in his left hand. Neal stated that the long object was silver in color, approximately 2 feet long, and thin.

As Neal drove towards the location, he heard glass shatter and what sounded like one single gunshot. Neal asked his partner if he heard the gunshot.

Neal said he saw Subject jump back over the same picket fence. He saw that Subject was holding a small black handgun in his right hand. Neal said he put the radio car in park and told the subject to drop the weapon. Subject was on the south sidewalk of 156th Street. The subject was quickly walking east, away from the location.

Subject turned toward Neal and pointed the handgun in his direction. Neal said he was in fear for his life and his partner's life. In response to this, Neal discharged his firearm. He estimated that he fired approximately three to four rounds. Neal said he was the first to exit the radio car. He stated that as he was exiting his vehicle, he stood and fired over the door frame at the subject.

Neal said that radio car's headlights were on and that Subject was illuminated. Neal said that he had a clear view of the subject as he exited the yard of West 156th Street. He described the subject as a male Black, 5 feet 9 inches to 5 feet 11 inches tall, with a dark complexion. He was approximately 17 to 25 years of age. The subject was wearing dark clothes and a white T-shirt. Neal described the subject's handgun as a small caliber handgun, black in color. He believed the weapon was either a .25 or .32 caliber handgun.

Neal said that after he discharged his weapon, he instructed Subject to lie down on the ground. Deputy Whittington approached the subject as Neal walked over to who he believed was the driver of the suspect vehicle, later determined to be Suspect . Neal ordered Suspect to lie on the ground face down. Neal said that Suspect the person he thought was the driver, was already out of the suspect vehicle car at the time of the shooting.

Neal requested additional units to respond via Sheriffs radio. Suspect stated, "You shot my partner." Neal said it was at this point that he realized he had struck the subject. Neal said that after he discharged his weapon, he did not see what happened to the suspect's gun.

Neal said that he requested emergency personnel via his radio. He also advised that no deputies had been injured and that all suspects were accounted for at the location.

STATEMENTS OBTAINED FROM CIVILIAN WITNESSES:

Witness picked up Subject earlier in the evening. drove the subject to the location where the shooting occurred. said that his (subject) went "crazy" and broke out a vehicle's window with a golf dub. He then threw the golf club and broke out the front window of the location (W. 156th Street, Compton).

As the subject was leaving the location's gate, the squad car came "flying up." Witness [REDACTED] said that before the deputy even exited his radio car, he fired three to four shots. The deputy shot his [REDACTED] in the arm, then instructed him ([REDACTED] to get down on the ground. [REDACTED] said he knew that his [REDACTED] had been hit because of the blood on his T-shirt. He said his [REDACTED] was placed in the back seat of a radio car.

Witnesses [REDACTED] was eventually placed in the back seat of a radio car, arrested for a warrant, and subsequently transported to Compton Sheriff's Station.

Witness [REDACTED] was in bedroom when he heard four gunshots. He did not see anything.

Witness [REDACTED] was inside his residence but did not see anything.

Witness [REDACTED] was inside his residence but did not see anything.

Witness [REDACTED] stated that she heard gunshots coming from outside of her house. She looked out of her livingroom window and saw two male adults lying on the ground with two deputies standing over them. She did not see anything else.

Witness [REDACTED] was in her bedroom asleep when she heard gunshots but did not see anything.

Witness [REDACTED] was asleep when he heard someone yelling outside of his residence. He then heard two gunshots and looked outside of his window. He saw a patrol parked outside of his house. He did not see of hear anything else.

Witness [REDACTED] was asleep in her bedroom when she was awoken by two gunshots but did not see anything.

Witness [REDACTED] was inside of her house when she heard 5-6 gunshots. She looked outside and saw deputies placing the suspect into the backseat of a patrol car.

Witness [REDACTED] was standing alongside the left rear door of her vehicle which was parked in front of [REDACTED] 156th Street when the incident occurred. She saw a green, four door Mitsubishi Mirage traveling west on 156th Street. The vehicle stopped in front of [REDACTED] West 156th Street and the driver and the passenger exited the vehicle.

The passenger, walked around to the driver's side of the vehicle and stood in the middle of the street. The driver, Subject [REDACTED] walked over to a red Chevy Blazer which was parked in the driveway of the above location. Subject [REDACTED] was holding a golf club in his hand.

He walked over to the driver's side of the Chevy Blazer and swung the golf club striking the front driver's window. [redacted] then walked to the front porch of [redacted] West 156th Street and swung the golf club at the front residence window breaking it. He walked through the front yard, to east on the south sidewalk.

She saw a patrol car driving south on Northwood Avenue at the intersection of 156th Street. The deputies contacted both occupants.

Suspect [redacted] immediately lied face first on the street next to the driver's door of the Mitsubishi Mirage. She then heard 4 to 5 gunshots and saw Subject [redacted] fall to the ground.

Witness [redacted] confirmed the same story as [redacted] however she added that she remained in the passenger seat of her vehicle, which was parked in front of [redacted] 156th Street, when the incident occurred.

STATEMENTS OBTAINED FROM DEPUTY WITNESSES:

Deputy Whittington, Steven

Deputy Whittigton was working a uniformed patrol car (285/EM's) with his partner, Deputy Neal. They were assigned the assist to a vandalism just occurred call, which occurred on Clymar Avenue in the city of Compton. The handling unit of that call requested that they respond to the area of 156th Street and Northwood Avenue in Compton. They were told this incident stemmed from a previous call earlier in the evening and that it involved two feuding families.

When Deputies Neal and Whittington arrived in the area of 156th Street and Northwood Avenue, they were flagged down by a female victim. This female victim told the deputies that five minutes prior to their arrival, two suspects had thrown a rock through her window. The suspects left the area in two separate vehicles. Both vehicles were black in color. Whittington said they advised the victim that they were going to park on Northwood Avenue and conduct surveillance of her residence. They told her they felt the suspects would probably return to the area.

Whittington said they parked their vehicle along the west curb line of Northwood Avenue, facing south. Whittington said the radio car's lights were off and that they positioned themselves behind a parked vehicle. Whittington estimated that they were there for approximately five minutes when they observed a vehicle approach the residence. Whittington said that two individuals exited the car. One of the individuals jumped the location's ([redacted] W. 156th Street, Compton) white picket fence and threw something in a football pass type fashion.

Whittington then heard the sound of glass shattering. Deputy Neal drove towards the residence. Whittington believed the radio car's headlights were still blacked out. The suspect who was in the yard (Subject [redacted]), who Deputy Whittington believes did not initially see them, moved his right hand towards his waist area.

He then pulled out an unknown object and pointed it towards the front of the house. At that time, Whittington heard what he believed was a gunshot.

After this, the subject started running backwards. As he turned around and started running, he believed the subject saw them. Deputy Neal told the subject, "Drop the gun! Drop the gun! Get your hands up!" Subject [redacted] jumped over the white picket fence. As he landed on the sidewalk, he had the gun in his right hand. Whittington said the subject turned his body to the right and pointed the gun in the direction of the radio car. The subject turned right to left and he was holding the gun at chest level. Whittington said that Subject [redacted] right hand, the hand holding the gun, was extended. The left hand was not extended. He believed the left hand was "flopping" to the side of the subject's body. Whittington believed that Neal did not exit the radio car at the time he fired.

He said Neal was shooting with his right hand and that he was approximately 10 to 15 feet away from the subject.

Whittington said that he also had drawn his weapon. He said that he did not fire his weapon because he did not feel he could have safely fire through the radio car's windshield. Whittington also said that Neal was in front of him and he did not want to put Neal in danger.

Whittington said that the second individual (determined to be Suspect [redacted], the individual who did not jump the picket fence, remained approximately 2 feet from the driver's door of the suspect vehicle. He believed this individual came from the driver's side of the vehicle. He described him as a male Black with thick hair and unknown clothing. He said this individual did not leave the street area during this incident.

Whittington described the individual who was shot as a male Black, unknown style hair, wearing blue or black pants and a white shirt. He knew the subject had been shot in an arm; however, he did not know which arm had been shot.

Whittington said that after the shooting, he exited the radio car. At that time both individuals, [redacted] and [redacted], were on the ground. Both individuals were detained. He (Deputy Whittington) detained the suspect who had the gun.

Whittington said that after the subject was on the ground, he did not see where the gun was located. He said that Subject [redacted] was lying on his back. Whittington said that while detaining the subject on the ground, the suspect said, "I'm hurt," or something similar to that effect. Whittington said he could not hear that well because of the commotion coming from the residents of [redacted] W. 156th Street.

Whittington said they waited for assisting units to respond. The individuals were eventually handcuffed, but he did not know which units handcuffed them. Whittington estimated there were approximately 15 to 20 people inside of the residence located at [redacted] West 156th Street. Whittington said he was concerned for the suspects' safety. Consequently he was focusing on both the house and the suspects.

Whittington said that at different points in time, both deputies coordinated on the radio. He said that immediately following the shooting, Neal advised via Sheriff's radio that they had been involved in a shooting, that a suspect was down, and that they needed emergency personnel to respond to the location. In addition, he advised that they were detaining suspects at gunpoint.

SUSPECTS' STATEMENTS:

used the reference point of his returning to and seeing that the windows of that location broken out. said that his made a police report in regards to that incident. said that the conflict stemmed from breaking his leg.

admitted to throwing a brick through the window of the location on 156th Street. He estimated that the first time he did this was approximately 2200 hours.
He was accompanied by his MB/25. He said that did not throw a brick. said he used his vehicle. After doing this, he returned to his house.

returned along with several others and beat up his and his
In response to this, he and returned to the 156th Street location. He said that his was the passenger in the vehicle. said that he was in possession of a golf club and a brick and that also had a brick.

He said they did not discuss what was going to happen prior to arriving at the location. said, "I had a golf club, so I tore out another window." also admitted to throwing bolts through the window. denied breaking the windows out of the SUV that was parked in front of the location.

said that after breaking the window, he saw a shotgun and started to leave the yard. He said the shotgun was associated with a short, Black, baldheaded man inside of the residence. He also heard Mrs. say, "The police." said that everyone went back inside of the residence and that he started to run. estimated that there were approximately 15 to 20 people inside of the residence.

estimated that he made it approximately seven feet east of the white fence when the deputy shot twice. The second time he felt himself being struck. He said the police officer "got out popping at me." said that when this occurred, he was outside of the fenced yard.
He said he exited the yard via the front yard's gate.

said the radio car door swung open, the vehicle came to a stop, and then he heard a "pop, pop," sound. Prior to hearing the shots, he did not hear the deputy say anything. said he knew that it was a police vehicle coming down the street, because the car came down blacked out. He recognized the light bar on top of the vehicle and the push bars on the front of the radio car. said that despite knowing it was a police car, he ran. said he is right-handed. He claimed not to have discarded anything, and according to him, the deputies should have clearly saw him because he was close enough to have been shot in the elbow. said that as he was running, was getting on the ground.

claimed that the only weapon he saw was the aforementioned shotgun associated with the W. 156th Street address. denied that he was in possession of a gun on the night of the incident.

said that after he had been shot, he heard deputies request medical attention via Sheriff's radio. He estimated that this was approximately four or five minutes after the shooting.

MISCELLANEOUS SECTION:

None